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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/553,565	11/22/2005	Richard Kaufmann	238712	2046
23460 7590 09/30/2009 LEYDIG VOIT & MAYER, LTD TWO PRUDENTIAL PLAZA, SUITE 4900 180 NORTH STETSON AVENUE CHICAGO, IL 60601-6731				
EXAMINER WORRELL JR, LARRY D				
ART UNIT 3765		PAPER NUMBER		
NOTIFICATION DATE 09/30/2009		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/553,565

Applicant(s)

KAUFMANN ET AL.

Examiner

Danny Worrell

Art Unit

3765

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17-32 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 17-32 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/55/08)
Paper No(s)/Mail Date 2/08.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 17-32 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Re claim 17, the recitation “being mounted for movement relative to said main body and contact pin” is a functional recitation which lacks sufficient structure to allow for such function.

Re claim 32, the recitation “claim 36” makes the claim indefinite since there is no claim 36 in the application. Claim 32 has not been further treated on its merits since it unclear as to the totality of the elements being claimed. Even so note the movable guide element of Conzelmann (US 5,590,547) as noted below.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 17-20 and 22-25 insofar as definite are rejected under 35 U.S.C. 102(b) as being anticipated by Conzelmann (US 5,590,547).

Conzelmann (US 5,590,547) teaches the invention as claimed including 17. (New) A yarn feed system (1) for a textile machine comprising, a main body (1) having a yarn feeder (2) and at least one electrical device (3, 4) having a conductor (note the conductor is inherent for connecting to pins 20); a fastening clamp for fastening the yarn feed system to the textile machine; at least one contact pin (20) disposed at the fastening clamp arranged for making contact with said conductor; and a guide element (22) disposed adjacent the contact pin (20) for locating said conductor in relation to said contact pin (20), and said guide element (22) "being mounted for movement relative to said main body (1) and contact pin (20)". Regarding claim 18, note that the electrical devices (3, 4) comprise a sensor, motor and switch. Re claim 19, note the elongated axis of the contact pins (20) as seen in figure 1 maybe be moved in an axial direction. Re claim 20, note the open jaw for inserting the conductors and seen at the upper right of figure 1.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 21 and 26-31 insofar as definite is rejected under 35 U.S.C. 103(a) as being unpatentable over Conzelmann (US 5,590,547) in view of Rosen (US 3,747,864).

Conzelmann (US 5,590,547) teaches the invention substantially as claimed as indicated above in the rejection to claim 17. However, Conzelmann (US 5,590,547) does not set forth a clamping screw. Rosen (US 3,747,864) teaches a yarn feed system which includes clamping screw (8). It would have been obvious at the time the invention was made to one of ordinary skill in the art to provide the clamping element of Conzelmann (US 5,590,547) with a screw as shown by Rosen (US 3,747,864) in order to provide adjustable and positive clamping pressure of the yarn feed system onto the conductors. Also while Conzelmann (US 5,590,547) inherently includes a conductor for connecting to the contact pins (20), it is not shown as an insulation piercing contact with a rectangular cross section cable. Rosen (US 3,747,864) teaches the specific insulation piercing contact and rectangular cable connecting system as claimed and disclosed by applicant. It would have been obvious to choose for number of cable connecting systems including insulation piercing contact with a rectangular cross section as shown by Rosen (US 3,747,864) in order to allow positive guided connection of the yarns feed system to the current cable a knitting machine.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Note the yarns feed connection systems as shown in the cited prior art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Danny Worrell whose telephone number is 571/272-4997. The examiner can normally be reached on MONDAY-THURSDAY.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, GARY WELCH can be reached on 571/272-4996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Danny Worrell/
Primary Examiner, Art Unit 3765

ldw